

**IN THE UNITED STATES DISTRICT COURT  
FOR THE SOUTHERN DISTRICT OF OHIO  
EASTERN DIVISION**

**RACHEL KALTENBACH, et al.,**

**Plaintiffs,**

**v.**

**Civil Action 2:23-cv-187  
Judge Michael H. Watson  
Magistrate Judge Jolson**

**HILLIARD CITY SCHOOLS, et al.,**

**Defendants,**

**SCHEDULING ORDER**

Based upon the Parties' Report pursuant to Rule 26(f) of the Federal Rules of Civil Procedure, the Court **ADOPTS** the following schedule:

**INITIAL DISCLOSURES**

The parties have exchanged initial disclosures.

**VENUE AND JURISDICTION**

Defendants plan to file a motion to dismiss regarding, in part, standing.

Any motion related to venue or jurisdiction shall be filed by October 3, 2023.

**PARTIES AND PLEADINGS**

Any motion or stipulation to amend the pleadings or to join additional parties shall be filed by October 31, 2023.

**ISSUES**

Plaintiffs are parents of current and former students of Hilliard School District. Parents allege the actions of the District have violated their rights to control the upbringing of their children. Plaintiffs are seeking a declaratory judgment and injunctive relief. Plaintiff Senchesak has alleged claims for violation of 42 U.S.C. 1983 related to familial integrity and freedom of conscience along with a claim for Intentional Infliction of Emotional Distress.

### DISCOVERY PROCEDURES

All discovery shall be completed by July 31, 2024. For purposes of complying with this order, all parties shall schedule their discovery in such a way as to require all responses to discovery to be served prior to the cut-off date, and shall file any motions relating to discovery within the discovery period unless it is impossible or impractical to do so. If the parties are unable to reach an agreement on any matter related to discovery, they are directed to arrange a conference with the Court. To initiate a telephone conference, counsel are directed to join together on one line and then call the Magistrate Judge's chambers or provide the Court with a call-in number.

Any proposed protective order or clawback agreement shall be filed with the Court by October 15, 2023. A Word version of the proposed protective order should be sent to [jolson\\_chambers@ohsd.uscourts.gov](mailto:jolson_chambers@ohsd.uscourts.gov), and any provision related to sealing must comply with S.D. Ohio Civ. R. 5.2.1.

### DISPOSITIVE MOTIONS

Any dispositive motions shall be filed by August 30, 2024.

### EXPERT TESTIMONY

Primary expert reports must be produced by May 1, 2024. Rebuttal expert reports must be produced by July 1, 2024. If the expert is specifically retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(B), unless otherwise agreed to by the parties. If the expert is not specifically retained, the reports must conform to Fed. R. Civ. P. 26(a)(2)(C), unless otherwise agreed to by the parties. Pursuant to Fed. R. Civ. P. 26(b)(4)(A), leave of court is not required to depose a testifying expert.

### OTHER MATTERS

Plaintiffs will provide Defendants with quarterly accounting of Plaintiffs' attorney fees to date.

If the foregoing does not accurately record the parties' agreements, counsel will please immediately make their objection in writing. If any date set in this order falls on a Saturday, Sunday or legal holiday, the date is automatically deemed to be the next regular business day.

IT IS SO ORDERED.

Date: October 2, 2023

/s/ Kimberly A. Jolson  
KIMBERLY A. JOLSON  
UNITED STATES MAGISTRATE JUDGE